IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

APPEAL FROM ORDER NO.898 OF 2004
IN
NOTICE OF MOTION NO.3858 OF 2004
IN
S.C. SUIT NO.3775 OF 2004

Kalavati Suresh Abnave ... Appellant

V/s.

Vikas Mohan Nikam & Anr. ... Respondents

Mr.A.M. Saraogi for Appellant

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **NOVEMBER 24, 2004**

P.C.:

. This Appeal from Order had been filed against the rejection of the Notice of Motion. The dispute in this proceeding is with respect to the possession of the suit structure situated at Shroff Wadi, Dr.Babasaheb Ambedkar Nagar, Near Kamgar Stadium, Senapati Bapat Marg, Elphinstone Road, Mumbai. According to the Plaintiff, she is entitled to possession of the suit premises. The trial Court has found that there are serious disputes between the parties regarding the suit premises and, therefore, after perusing the entire documentary evidence has directed that although injunction as prayed for could not be granted the premises will remain locked and intact.

2. I see no reason to interfere with this order at this stage. Instead, it would be appropriate to direct the trial Court to decide the matter by 31.12.2005.

3. Appeal from Order is disposed of accordingly.